



General Assembly

January Session, 2013

## ***Amendment***

LCO No. 8496

**\*HB0665808496HR0\***

Offered by:

REP. O'NEILL, 69<sup>th</sup> Dist.

REP. RITTER M., 1<sup>st</sup> Dist.

To: Subst. House Bill No. 6658

File No. 693

Cal. No. 476

### ***"AN ACT CONCERNING EMPLOYER USE OF NONCOMPETE AGREEMENTS."***

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2013*) (a) As used in this  
4 section:

5 (1) "Employee" means any person engaged in service to an employer  
6 in the business of the employer; and

7 (2) "Employer" means a person engaged in business who has  
8 employees, including the state and any political subdivision thereof.

9 (b) If (1) an employer is acquired by, or merged with, another  
10 employer, and (2) as a result of such merger or acquisition an  
11 employee of the employer is presented with a noncompete agreement  
12 as a condition of continued employment with the employer; any such  
13 noncompete agreement entered into, renewed or extended on or after

14 October 1, 2013, between the employer and employee shall be void,  
15 unless prior to entering into the agreement, the employer provides the  
16 employee with a written copy of the agreement and a reasonable  
17 period of time, of not less than seven calendar days, to consider the  
18 merits of entering into the agreement.

19 (c) Nothing in this section shall be construed to limit or deny any  
20 rights an employee may have at law or in equity. An employee may  
21 waive the right provided under subsection (b) of this section if such  
22 waiver is reduced to a separate writing, sets forth the right being  
23 waived and is signed by the employee prior to entering into the  
24 agreement."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	New section